

corporation prior to such amendment) by whom the same shall again be recorded. At the time of receiving such articles of amendment for record, the State Tax Commission shall collect the same recording fees, to be computed in the same manner as is the case of a certificate of incorporation, and the same to be divided, accounted for and paid over by the Commission as in the case of a certificate of incorporation.

(2) When such articles of amendment have been delivered to the State Tax Commission with the recording fees, for which provision is hereinbefore made, and the bonus tax, if any payable, the amendment or amendments made thereby shall take effect, and not before. A duly certified copy of such articles of amendment from the records of the Secretary of State, the State Tax Commission or the Circuit or Superior Court shall be evidence of the amendment or amendments made thereby. The recording by the State Tax Commission of the articles of amendment shall be conclusive evidence of the payment of the recording fees and the bonus tax, if any, required by law to be paid to it, except in a direct proceeding by the State.

Amendment proceedings held abortive because the proposed amendment was not acknowledged and recorded as required by secs. 51, 52, and 55 of the Code of 1904. *Morgan v. Landstreet*, 109 Md. 585. *Cf. Brown v. Maryland Telephone Co.*, 101 Md. 581; *Windsor v. Bandel*, 40 Md. 175.

See notes to secs. 28, 43 and 403.

An. Code, 1924, sec. 30. 1912, sec. 26. 1904, sec. 86. 1888, sec. 78. 1868, ch. 471, sec. 73. 1908, ch. 240, sec. 26. 1916, ch. 596, sec. 26. 1922, ch. 309, sec. 26. 1931, ch. 480, sec. 30.

30. If an increase of the authorized capital stock of any corporation shall have been duly authorized, as in Sections 28 and 29 provided, the articles of amendment shall set forth: (a) the total number and par value of the shares of the capital stock theretofore authorized and, if more than one class, the number and par value of the shares of each class; (b) the total number and par value of the shares of the authorized capital stock as increased and, if more than one class, the number and par value of the shares of each class; and (c) the preferences, voting powers, restrictions and qualifications of each class of the authorized capital stock as increased or a statement that such terms thereof are as set forth in the charter.

See notes to secs. 43 and 403.

Cited but not construed in *Perkins v. LeViness*, 134 Md. 265.

As to an increase of the capital stock of railroad companies, see sec. 204.

An. Code, 1924, sec. 31. 1912, sec. 27. 1904, sec. 86. 1888, sec. 78. 1868, ch. 471, sec. 73. 1908, ch. 240, sec. 27. 1916, ch. 596, sec. 27. 1931, ch. 480, sec. 31.

31. (1) If a decrease of the authorized capital stock of any corporation shall have been duly authorized as in Sections 28 and 29 provided, the articles of amendment shall set forth: (a) the total number and par value of the shares of the capital stock theretofore authorized and, if more than one class, the number and par value of the shares of each class; (b) the total number and par value of the shares of the capital stock issued and, if more than one class, the number and par value of the shares of each class; (c) the total number and par value of the shares of the authorized capital stock as decreased and, if more than one class, the number and par value of the shares of each class.

(2) No amendment of the charter by which the amount of issued capital stock is reduced shall be made except in compliance with Section 32 of this Article and subject to the provisions thereof.

In the absence of express authority, a corporation in this state has no power to purchase its own shares, and the amount of the capital stock of a corporation can-